PATENT DE

## ETRADIAS! DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE **Attorney Docket Number:** STATEMENT OF 2207/8478 SUBSTANCE OF INTERVIEW **Applicant** Application No. **Filing Date** GAFKEN et al. 09/503,939 February 14, 2000 Examiner Art Unit 2135 Odaiche T. AKPATI Invention Title MODULAR BIOS UPDATE MECHANISM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

The Applicants thank the Examiner for the courtesies extended to the Applicants' representative during the telephonic interview conducted on October 21, 2004, and provides this Statement of Substance of Interview in accordance with MPEP § 713.04:

- (A) Exhibits, Demonstrations: None.
- (B) Claims Discussed: All pending independent claims were discussed.
- (C) Prior Art: U.S. Pat. No. 5,805,882 to Cooper et al.

U.S. Pat. No. 5,844,986 to Davis

U.S. Pat. No. 6,091,430 to Bodin et al.

U.S. Pat. No. 6,185,696 to Noll

- (D) Proposed Amendments: See Applicants' September 27, 2004 response to the Final Office Action.
- (E) Principal Argument(s) of Applicants: See Applicants' September 27, 2004 response to the Final Office Action.
- Other Matters: Applicants' representatives tried to educate the Examiner regarding the claimed invention, including its objectives and background. Applicants' representatives also tried to distinguish the claimed invention over the cited references.
- (G) General Results or Outcome: No agreement has been reached. The Examiner indicated that she was not able to locate the file. The Examiner also indicated that she is not allowed to grant an after-final interview once a response to the Final Office Action has been filed even though she denied an interview request made by

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Applicants' representatives before filing of the response. When Applicants' representatives requested an interview with the primary examiner, Examiner Akpati denied the interview request on the ground that she is not allowed to grant an afterfinal interview with the assigned primary examiner.

Although not believed necessary, the Office is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.16 or § 1.17, or credit any overpayments, to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter regarding this application, at (202) 220-4200.

Respectfully submitted,

**KENYON & KENYON** 

Date: November 17, 2004

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